



Office of the City Engineer

20 North 6th Street • Lafayette, Indiana 47901-1412
Phone 765-807-1050 • FAX 765-807-1049

AGREEMENT FOR UTILITY SERVICE
Highway Safety Services Facility
CR South 500 East

Pursuant to the attached conditions for utility service consisting of 4 pages, the City of Lafayette agrees to provide water supply service to and to accept sanitary sewage from a proposed 11 ± acre commercial development known as the Highway Safety Services Facility, located along CR South 500 East approximately 530' south of CR East 400 South. (Described in Exhibit A attached hereto.)

City of Lafayette
Board of Public Works and Safety

Gary D. Henriott, President

Amy Moulton, Member

Norman D. Childress, Member

Ronald Shriner, Member

Cindy Murray, Member

ATTEST:

Date: _____

Date: _____

Owner/Developer:
Dormie, LCC



Name: Mike Madrid Title: Member

Date: 7-15-2020

STATE OF INDIANA)
) SS:
COUNTY OF TIPPECANOE)

Before me the undersigned, a Notary Public for the County of Tippecanoe, State of Indiana, personally appeared Gary D. Henriott, President of the Lafayette Board of Public Works and Safety, Norman D. Childress, Board Member, Cindy Murray, Board Member, Amy Moulton, Board Member, and Ronald Shriner, Board Member and acknowledged the execution of the foregoing instrument this ____ day of July, 2020.

Resident of _____ Notary Public
County

My Commission Expires: _____

STATE OF INDIANA)
) SS:
COUNTY OF TIPPECANOE)

Before me the undersigned, a Notary Public for the County of Tippecanoe, State of Indiana, personally appeared Mike Madrid, representative of Dormie, LCC, who acknowledged the execution of the foregoing Agreement for Utility Service this 15th day of July, 2020.

Misty Grant-Kelsey
Misty Grant-Kelsen Notary Public
Resident of Tippecanoe County

My Commission Expires: 11/12/2027

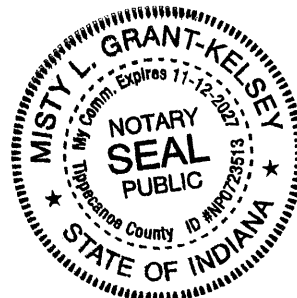


Exhibit 'A'

Highway Safety Services Legal Description:

SURVEYED DESCRIPTION

A part of the West Half of the Northwest Quarter of Section 18, Township 22 North, Range 3 West of the 2nd/ Principal Meridian, Tippecanoe County, Indiana, based upon a survey prepared by Adam J. Beery, Professional Surveyor Number 20700069, HWC Engineering Job Number 2020-117-S, dated May 19, 2020; more particularly described as follows:

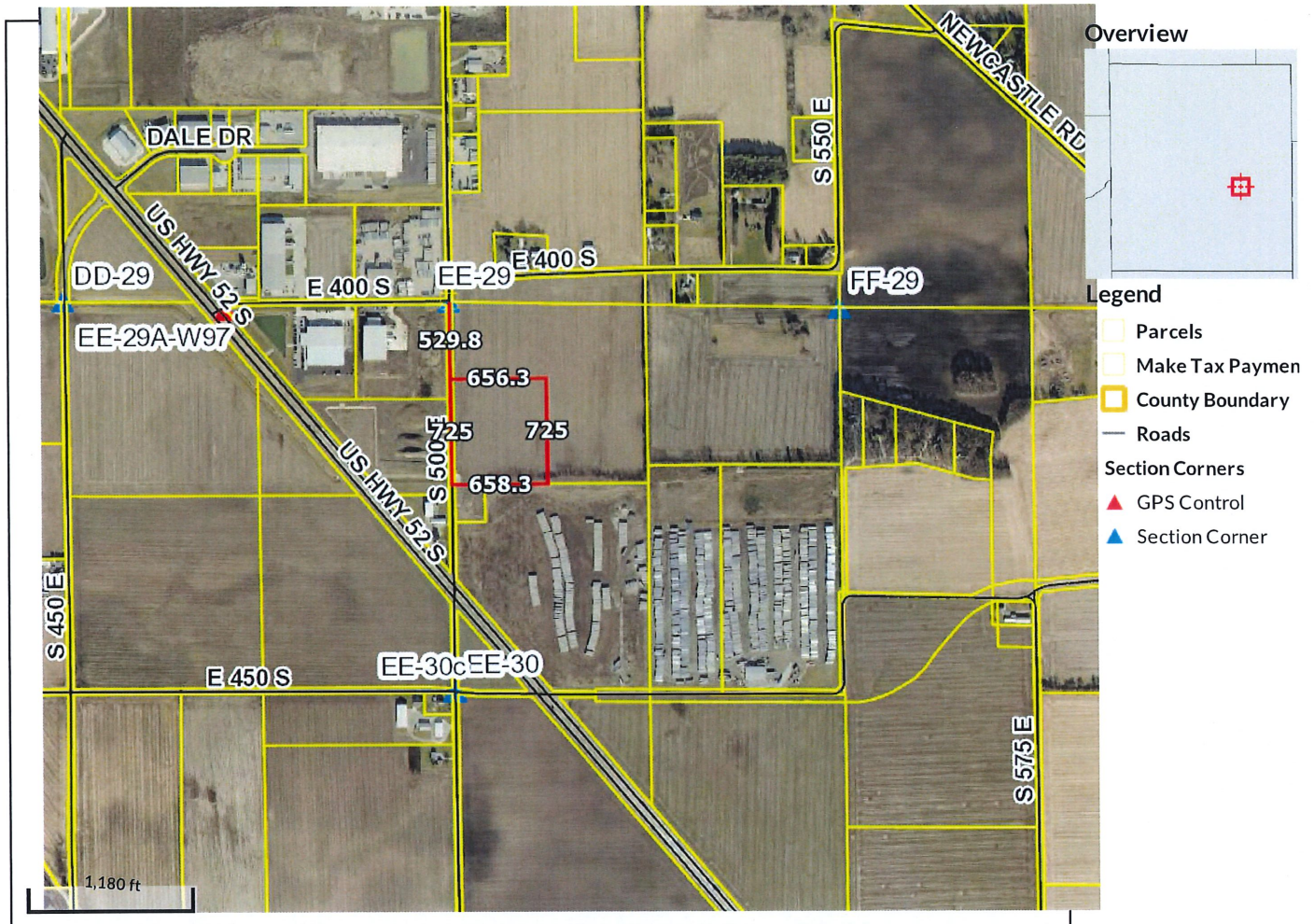
COMMENCING at the northwest corner of the Northwest Quarter of said Section 18 marked by a RT-1 over a Bernsten 1A monument per Tippecanoe County Surveyor reference ties; thence South 00 degrees 35 minutes 56 seconds East (grid bearing based upon Indiana State Plane - West Zone, NAD 83, 2011, EPOCH 2010.0000) along the west line of said Northwest Quarter Section a distance of 526.68 feet to the POINT OF BEGINNING, being marked by a MAG nail with washer stamped "HWC ENGINEERING FIRM #0114"; thence continuing South 00 degrees 35 minutes 56 seconds East along said west line a distance of 726.00 feet to the south line of the land described in Instrument Number 201919016414 as recorded in the Office of the Recorder, Tippecanoe County, Indiana marked by an iron bar; thence North 89 degrees 52 minutes 19 seconds East along said south line a distance of 660.00 feet to a 5/8 inch rebar with cap stamped "HWC ENGINEERING FIRM #0114"; thence North 00 degrees 35 minutes 56 seconds West parallel with said west line a distance of 726.00 feet to a 5/8 inch rebar with cap stamped "HWC ENGINEERING FIRM #0114"; thence South 89 degrees 52 minutes 19 seconds West parallel with said south line a distance of 660.00 feet to the POINT OF BEGINNING, containing 11.000 acres, more or less.

Exhibit 'A' (Visual)



BeaconTM

Tippecanoe County, IN



FID = 843
SNO = 849
STATION = EE-29
SOURCE = County Surveyor
TYPE = Section Corner
EASTING = 3029082.747
NORTHING = 1861924.423
HEIGHT =
UNITS = US Survey feet
SPZONE = IN1302W
HDATUM = NAD 83
VDATUM = NAVD 88
UPDATED =
URL = <http://gis.tippecanoe.in.gov/dossiers/EE-29.pdf>

Date created: 7/1/2020
Last Data Uploaded: 7/1/2020 5:21:25 AM

Developed by  **Schneider**
GEOSPATIAL

CONDITIONS FOR UTILITY SERVICE

1. Execution of the Consent to Voluntary Annexation and Waiver of Right to Object.
2. Acceptance of the conditions in the attached Statement of Policy for Utility Service. (Dated March 25, 1999)
3. The Owner/Developer shall provide all easements necessary to provide utility (water, sanitary sewer and storm sewer) service at no cost to the City of Lafayette.
4. Payment of the Cost Recovery Fees, pursuant to the Cost Recovery Fee Summary Sheet dated July 2, 2020 (Exhibit 'B' attached hereto and a part hereof).

5.1 WATER SUPPLY

Existing watermains are located near the proposed development and have sufficient size and capacity to serve said development. The City of Lafayette has previously constructed water supply facilities, storage facilities and distribution mains to serve this general area.

Water service shall be provided for the project at CR S 500 E one (1) point of connection:

1. An existing 12"Ø watermain from the US 52 Industrial Subdivision on the west side of CR S 500 E.

Local watermains throughout the proposed development shall be maintained at 8"Ø minimum with the exception of limited duty mains which may be sized 6"Ø.

In recognition of prior construction of primary water supply, storage and distribution mains by the City of Lafayette to serve this general area, the Owner/Developer agrees to pay to said City a Water Cost Recovery Fee in the amount of \$1,253 per acre of platted development.

SUMMARY OF COSTS AND PAYMENTS

Water Supply

Payment due upon the execution of a Utility Service Agreement and/or any addendum to the Utility Service Agreement equals platted acreage times the appropriate fee. (Acreage x Fee)

All construction shall be subject to all applicable City standards as noted elsewhere in this Utility Service Agreement.

Upon completion, all watermains shall be accepted by the City of Lafayette as public watermains without residual obligation to the Owner/Developer.

No additional tap or cost recovery fees are required from the Owner/Developer for said water service save those fees provided for and required under City ordinance.

5.2 SANITARY SEWER

Existing sanitary sewer systems are located near the development and have sufficient size and capacity to serve said development. The City of Lafayette has previously constructed sewage lift stations, forcemains and interceptor sewers to serve this general area.

Sewer service connection shall be provided at CR S 500 E one (1) point of connection:

1. An existing 12"Ø sanitary sewer from the US 52 Industrial Subdivision on the west side of CR S 500 E.

In recognition of prior and current construction of sewage lift stations, forcemains and interceptor sewers by the City to serve this general area, the Owner/Developer agrees to pay to said City a Wastewater Cost Recovery Fee in the amount of \$4,377 per acre of platted development.

SUMMARY OF COSTS AND PAYMENT Sanitary Sewer Service

Payment due upon the execution of a Utility Service Agreement and/or any addendum to the Utility Service Agreement equals platted acreage times the appropriate fee. (Acreage x Fee)

All construction shall be subject to all applicable City standards as noted elsewhere in this Utility Service Agreement.

Upon completion, all sanitary sewers shall be accepted by the City of Lafayette as public sanitary sewers without residual obligation to the Owner/Developer.

No additional tap or Cost Recovery Fees are required from the Owner/Developer for said sewer service save those fees provided for and required under City ordinance.

STATEMENT OF POLICY UTILITY SERVICE

March 25, 1999

This document is prepared as a general statement of policy for connection to the water and wastewater systems of the City of Lafayette. Unusual or extra-ordinary service conditions may justify additional and/or alternative requirements.

No utility service, water or wastewater, will be provided until all technical and monetary matters have been satisfied.

Sanitary Sewers

1. Provision of wastewater service is conditioned on the acceptance and usage of the City water system where such waterlines are within reasonable connection distance.
2. All sanitary sewers proposed for connection to the City of Lafayette system shall be constructed of the highest quality state-of-the-art materials, built with sound construction practices in accordance with City of Lafayette Typical Construction Guidelines and Details (current version), Ordinance 85-21 as amended, and Ten States Standards, all to the acceptability of the Board of Public Works & Safety.
3. Private sanitary sewers are not generally permitted. Connection may be allowed for such sewers per direction of the Board of Public Works & Safety.
4. Application for connection to the sanitary sewer shall be initiated at the Office of the Lafayette City Engineer.
5. All required technical data, design documents, plans and specifications, permits, and approvals shall be delivered to and acknowledged by the Office of the Lafayette City Engineer prior to the initiation of construction by the developer.
6. Payment of sewer permit fees, Cost Recovery Fees and/or Wastewater Agreement Fees shall be made to the City prior to the issuance of a sewer connection (tap) permit.
7. Resolution of all items relating to Stormwater Management must be achieved prior to issuance of a sewer connection (tap) permit.
8. Notification of the Water Pollution Control Department-Sewers Section is required prior to initiation of construction activity and prior to connection the system.

Water

1. Provision of water service is conditioned to the acceptance and usage of the City wastewater system where such sewer lines are within reasonable connection distance.
2. All waterlines proposed for connection to the City of Lafayette system shall be constructed of the highest quality state-of-the-art materials, built with sound construction practices in accordance with City of Lafayette Typical Construction Guidelines and Details (current version), Ordinance 1279 as amended, and Ten States Standards, all to the acceptability of the Board of Public Works & Safety.
3. Private waterlines, with appurtenances, are not generally permitted. Connection may be allowed for such waterlines per direction of the Board of Public Works and Safety.
4. Application for connection to the water distribution system shall be initiated at the Office of the Lafayette City Engineer.

5. All required technical data, design documents, plans and specifications, permits, and approvals shall be delivered to and acknowledged by the Office of the Lafayette City Engineer prior to the initiation of construction by the developer.
6. Payment of waterline tap fees, meter fees, Cost Recovery Fees and/or other agreement fees shall be made to the City prior to the issuance of a waterline connection permit.
7. Resolution of all items relating to Stormwater Management must be achieved prior to issuance of a waterline connection (tap) permit.
8. Notification of the Water Department is required prior to initiation of construction activity and prior to connection to the system.

EXHIBIT 'B'

COST RECOVERY FEE SUMMARY SHEET
Highway Safety Services Facility
CR South 500 East
July 2, 2020

Project Title: Highway Safety Services Facility

Project Acreage: 11.0 ±

Number of Lots: 1

Schedule of Fees:

I. Charges:

Water Fee	(\$1,253 x 11 acres)=	\$13,783	(22%)
Wastewater Fee	(\$4,377 x 11 acres) =	<u>\$48,147</u>	(78%)
Total Fee		\$61,930	(100%)

II. Balance Due at the time of signing the Utility Service Agreement:

Total Fee	=	\$61,930
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UTILITY COST RECOVERY FEE WORKSHEET

Project Title: Highway Safety Services Date: 7/2/2020

Project Location: CR South 500 East - 530' South of CR East 400 South

Total Platted Acreage: 11.00 Ac. (per Legal Description) No. of Lots: 1

Service Area in which Proposed Project is located: (See Map) 7

A. Total Average Flow from IDEM Design Summary: N/A gpd

B. Acreage flow: A. = N/A gpd per Ac.
Platted Acreage

C. Flow Multiplier: B. - 2000 = N/A
(Use 0 if less than 0) 2000 gpd per Acre

WASTEWATER RECOVERY FEE WORKSHEET

1. Base Fee		<u>\$2,165</u>	
2. Service Area Fee		<u>\$2,212</u>	
3. Flow Rate Adjustment: [C. x (1.+2.)]	=		
4. Recovery Fee per Acre: (Sum of 1.+2.+3.)	=	<u>\$4,377</u>	
5. Total Wastewater Recovery Fee (4. x Total Platted Acreage)			
	<u>\$4,377</u> x <u>11.000</u>	=	<u>\$48,147</u>

Service Area Fee Schedule

Service Area 1 -	\$2,583	
Service Area 2 -	\$4,284	
Service Area 2A -	\$5,448	
Service Area 2B -	\$7,094	
Service Area 2C -	\$984	/S.F. Service
Service Area 3 -	\$2,245	
Service Area 3A -	\$3,513	
Service Area 3B -	\$1,678	
Service Area 4 -	\$2,326	
Service Area 5 -	\$1,327	
Service Area 6 -	\$3,780	
Service Area 6A -	\$4,853	
Service Area 7 -	\$2,212	
Service Area 8 -	\$2,298	
Service Area 9 -	\$1,988	
Service Area 9A -	\$3,918	
Service Area 10 -	\$1,473	
Service Area 11 -	\$3,932	
Service Area 11A -	\$1,570	
Service Area 11B -	\$3,073	
Service Area 11C -		
Service Area 12 -	\$1,473	
Service Area 13 -	\$2,294	
Service Area 14 -	\$3,043	
Service Area 15 -	--	
Service Area 15A -	\$3,838	
Service Area 16 -	\$3,073	*
Service Area 17 -	\$5,000	*
Service Area 18A -	\$6,796	*
Service Area 18B -	\$7,560	*
Service Area 18C -	\$3,841	*
Service Area 18D -	\$7,647	*
Service Area 19 -	\$3,550	/S.F. Service*

WATER RECOVERY FEE WORKSHEET

1. Base Fee		<u>\$941</u>	
2. Service Area Fee		<u>\$312</u>	
3. Flow Rate Adjustment: [C. x (1.+2.)]	=		
4. Recovery Fee per Acre: (Sum of 1.+2.+3.)	=	<u>\$1,253</u>	
5. Total Water Recovery Fee (4. x Total Platted Acreage)			
	<u>\$1,253</u> x <u>11.000</u>	=	<u>\$13,783</u>

Service Area Fee Schedule

Service Area 1 -	--	
Service Area 2 -	\$21	
Service Area 2A -	\$21	
Service Area 2B -	--	
Service Area 2C -	--	
Service Area 3 -	--	
Service Area 3A -	\$619	
Service Area 3B -	\$619	
Service Area 4 -	\$103	
Service Area 5 -	--	
Service Area 6 -	\$370	
Service Area 6A -	\$282	
Service Area 7 -	\$312	
Service Area 8 -	\$254	
Service Area 9 -	\$83	
Service Area 9A -	\$123	
Service Area 10 -	\$75	
Service Area 11 -	\$103	
Service Area 11A -	\$130	
Service Area 11B -	\$75	
Service Area 11C -	--	
Service Area 12 -	\$75	
Service Area 13 -	\$1,331	
Service Area 14 -	--	
Service Area 15 -	\$2,419	
Service Area 15A -	\$6,430	
Service Area 16 -	\$103	
Service Area 17 -		*
Service Area 18A -		*
Service Area 18B -		*
Service Area 18C -		*
Service Area 18D -		*
Service Area 19 -		*

* No Base Fee required for this Service Area.

** Revision of Service Area Fee pending.

12/17/15 - R8

SEE REVERSE SIDE FOR ADDITIONAL FEE SCHEDULES

WASTEWATER RECOVERY FEE WORKSHEET (cont'd)

Service Area 20 -	*
Service Area 20A -	\$240 *
Service Area 21 -	*
Service Area 22 -	
Service Area 23 -	\$7,315 /SF Service*
Service Area 24 -	\$6,713 /SF Service*
Service Area 25 -	
Service Area 26 -	\$7,113 /SF Service*

WATER RECOVERY FEE WORKSHEET (cont'd)

Service Area 20 -	\$1,271 *
Service Area 20A -	\$1,561 *
Service Area 21 -	*
Service Area 22 -	\$3,632 /SF Service*
Service Area 23 -	\$5,174 /SF Service*
Service Area 24 -	\$7,032 /SF Service*
Service Area 25 -	\$2,636 *
Service Area 26 -	\$4,397 /SF Service*

STORMWATER COST RECOVERY FEES

1.	Greenbush Pond Watershed -	\$12,500 / Acre Foot of Storage
2.	Wilson Branch Reservoir Watershed -	\$9,339 / Acre Foot of Storage
3.	Coleman Drain Watershed	\$7,384 / Acre + Greenbush Pond Storage Charge
4.	Southside Drainage Watershed	\$7,086 / Acre
5.	Kirkpatrick Legal Drain Reconstruction	\$2,525 / Acre
6.	C.R. 500 East & McCarty Lane Stormwater Improvements	\$7,088 / Acre
7.	Gannett Storm Sewer Extension	\$13,199 / Acre
8.	Sagamore North Pond / Storm System	\$21,595 / Acre
9.	Old Romney Road Poand / Storm System	\$31,375 / Acre

MISCELLANEOUS COST RECOVERY FEES

I. WATERMAINS

Creasy Lane area between Creasy Court
and State Road 38

\$850 / Acre of Platted Acreage

* No Base Fee required for this Service Area.

** Revision of Service Area Fee pending.

CONSENT TO VOLUNTARY ANNEXATION AND WAIVER OF RIGHT TO OBJECT

STATE OF INDIANA

SS:

TIPPECANOE COUNTY

To the City of Lafayette:

In consideration of the City of Lafayette, Indiana, permitting the undersigned to connect to the City utility system and for other good and valuable consideration, the undersigned being all of the fee simple owners of all the real estate to be serviced, hereby consent to the **Voluntary Annexation** of all or any of the real estate within the service area ("Real Estate"), such Real Estate being legally described on the attached Exhibit 'A' which Exhibit is made a part hereof; and upon the request of the City of Lafayette agree to execute any and all documents necessary to effectuate a **Voluntary Annexation** and further **Waive All Rights to Object** to annexation, or resist any proceeding for annexation, of all or any part of the Real Estate by the City of Lafayette or others.

This Consent to Voluntary Annexation and Waiver of Right to Object to Annexation shall run with the land and be binding upon the heirs, administrators, devisees, assigns, or successors in interest.

Date this 7th day of July, 2020

Owner/Developer:

Dormie, LLC

[Signature]
Mike Madrid, Member

STATE OF INDIANA

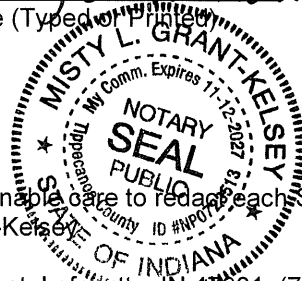
SS:

COUNTY OF TIPPECANOE

Before me a Notary Public in and for said County and State this 7th day of July, 2020, personally appeared Mike Madrid, Member of Dormie LLC, and acknowledged their voluntary execution of the foregoing Waiver of Right to Object to Annexation.

[Signature]
Notary Public
Misty Grant-Kelsey
Name (Typed or Printed)

My Commission Expires: 11/12/27



I affirm, under the penalties for perjury, that I have taken reasonable care to read each Social Security number in this document, unless required by law. Misty Grant-Kelsey

Prepared by: BF&S, Inc., Misty Grant-Kelsey, 11 South 3rd Street, Lafayette, IN 47901, (765) 423-5602

Exhibit 'A'

Highway Safety Services Legal Description:

SURVEYED DESCRIPTION

A part of the West Half of the Northwest Quarter of Section 18, Township 22 North, Range 3 West of the 2nd/ Principal Meridian, Tippecanoe County, Indiana, based upon a survey prepared by Adam J. Beery, Professional Surveyor Number 20700069, HWC Engineering Job Number 2020-117-S, dated May 19, 2020; more particularly described as follows:

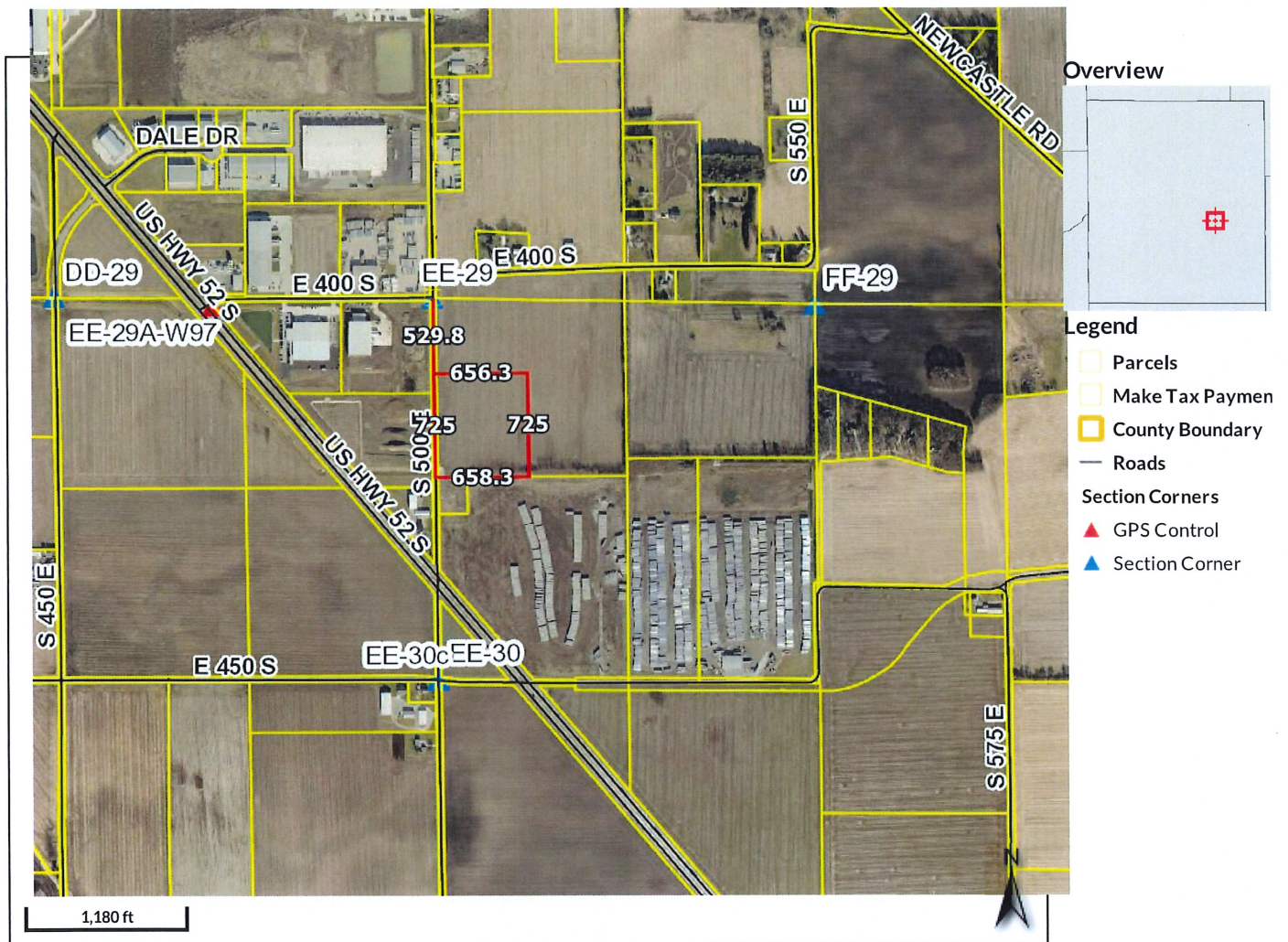
COMMENCING at the northwest corner of the Northwest Quarter of said Section 18 marked by a RT-1 over a Bernsten 1A monument per Tippecanoe County Surveyor reference ties; thence South 00 degrees 35 minutes 56 seconds East (grid bearing based upon Indiana State Plane - West Zone, NAD 83, 2011, EPOCH 2010.0000) along the west line of said Northwest Quarter Section a distance of 526.68 feet to the POINT OF BEGINNING, being marked by a MAG nail with washer stamped "HWC ENGINEERING FIRM #0114"; thence continuing South 00 degrees 35 minutes 56 seconds East along said west line a distance of 726.00 feet to the south line of the land described in Instrument Number 201919016414 as recorded in the Office of the Recorder, Tippecanoe County, Indiana marked by an iron bar; thence North 89 degrees 52 minutes 19 seconds East along said south line a distance of 660.00 feet to a 5/8 inch rebar with cap stamped "HWC ENGINEERING FIRM #0114"; thence North 00 degrees 35 minutes 56 seconds West parallel with said west line a distance of 726.00 feet to a 5/8 inch rebar with cap stamped "HWC ENGINEERING FIRM #0114"; thence South 89 degrees 52 minutes 19 seconds West parallel with said south line a distance of 660.00 feet to the POINT OF BEGINNING, containing 11.000 acres, more or less.

Exhibit 'A' (Visual)



BeaconTM

Tippecanoe County, IN



FID = 843
 SNO = 849
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Developed by  **Schneider**
 GEOSPATIAL